

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

TOMMY TARRELL MCCASKILL,                  )  
  )  
Petitioner,                                      )  
  )  
v.   )      Case No. 1:21CV768  
  )      1:01CR350-1  
UNITED STATES OF AMERICA,                    )  
  )  
Defendant.                                      )  
  )

**ORDER**

On January 24, 2022, the United States Magistrate Judge's Recommendation was filed, and notice was served on the parties pursuant to 28 U.S.C. § 636. Petitioner filed objections, (ECF No. 289), within the time limit prescribed by § 636.

The Court has reviewed Petitioner's objections de novo and finds that they do not change the substance of the United States Magistrate Judge's Recommendation, (ECF No. 287), which is affirmed and adopted.

IT IS THEREFORE ORDERED that Petitioner's request for further relief under the First Step Act is DENIED and that this action is DISMISSED *sua sponte* without prejudice to Petitioner promptly filing a corrected motion on the proper § 2255 forms if he seeks to attack his sentence under that statute.

This, the 21<sup>st</sup> day of March 2022.

/s/ Loretta C. Biggs  
United States District Judge